

AUG 3 2018

CENTRAL DISTRICT OF CALIFORNIA

BY: vdr DEPUTY

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

GINA RODRIGUEZ, et. al.,
Plaintiffs,
v.
JEFF BECKWITH, et al.,
Defendants.

Case No. CV 18-6416 FMO (SSx)

**ORDER SUMMARILY REMANDING
IMPROPERLY-REMOVED ACTION**

The Court will remand this unlawful detainer action to state court summarily because Defendants removed it improperly.

On February 20, 2018, Defendant Jeff Beckwith, in both his individual capacity and doing business as Honey Spot, having been sued in what appears to be a routine unlawful detainer action in California state court, filed a Notice of Removal of that action to this Court and presented applications to proceed in forma pauperis. The Court has denied the IFP applications under separate cover because the action was not properly removed. To

1 prevent the action from remaining in jurisdictional limbo, the
2 Court issues this Order to remand the action to state court.

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4 Simply stated, this action could not have been originally
5 filed in federal court because the complaint does not competently
6 allege facts supporting either diversity or federal-question
7 jurisdiction, and therefore removal is improper. 28 U.S.C.
8 § 1441(a); see Exxon Mobil Corp. v. Allapattah Svcs., Inc., 545
9 U.S. 546, 563 (2005).

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11 Accordingly, IT IS ORDERED that (1) this matter be REMANDED
12 to the Superior Court of California, County of Los Angeles, 300
13 E. Olive Ave., Burbank, California 91502, for lack of subject
14 matter jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) the
15 Clerk send a certified copy of this Order to the state court; and
16 (3) the Clerk serve copies of this Order on the parties.

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18 IT IS SO ORDERED.

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20 DATED: August 3, 2018

21 /s/
22 FERNANDO M. OLGUIN
23 UNITED STATES DISTRICT JUDGE
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